

Fall 10-1-1999

SafetyWorks! Newsletter for a Safer Workplace, Fall 1999

Maine Department of Labor

Maine Bureau of Labor Standards

Follow this and additional works at: https://digitalmaine.com/bls_docs

Recommended Citation

Maine Department of Labor and Maine Bureau of Labor Standards, "SafetyWorks! Newsletter for a Safer Workplace, Fall 1999" (1999). *All Bureau of Labor Standards Documents*. 480.
https://digitalmaine.com/bls_docs/480

This Text is brought to you for free and open access by the Bureau of Labor Standards at Digital Maine. It has been accepted for inclusion in All Bureau of Labor Standards Documents by an authorized administrator of Digital Maine. For more information, please contact statedocs@maine.gov.

L 12/6.27: 999/fall
c1

MAINE STATE LIBRARY



LIBRARY USE ONLY

Fall 1999

SafetyWorks!

Quarterly news for a safer workplace

Temporary Workers & Safety: What is Your Responsibility?

by Lynne Lamstein

Temporary employment is increasingly common. Each year, more companies are employing greater numbers of temporary workers. More and more people *are employed by* one company but *work for* another.

Ninety percent of U.S. companies use temporary workers. If current growth rates continue, one out of six workers will work for a staffing agency before turning 35 years old.

In Maine, the number of people employed by temporary agencies climbed from 5,070 in 1993 to 7,830 in 1997—a 30 percent rise.

Temporary work arrangements create challenges for protecting the health and safety of workers. Labor laws may not be explicit for temporary situations, giving rise to questions about who is responsible, the temporary agency or the employer. When responsibilities are not made clear, workers may be left without the training, protection, or equipment they need to work safely.

Under the Occupational Safety and Health Act, temporary agencies and employers share responsibility for protecting temporary workers from workplace hazards. As a general rule, OSHA expects the temporary agency to provide generic training and the employer to provide job-specific training and protective clothing.

As a general rule, OSHA expects the temporary agency to provide generic training and the employer to provide job-specific training and protective clothing.

For example, in the case of OSHA's Hazard Communication Standard, the temporary agency needs to provide training on the categories of chemicals employees may encounter. The employer must give specific training on the chemicals employees will be exposed to at that workplace. The employer is also responsible for controlling employee exposure to hazardous chemicals.

The employer must provide personal protective equipment for hazards and ensure that employees use the equipment. However, the temporary agency and the employer can make a contract detailing who will pay for needed equipment. Contracts should clearly describe

the responsibilities of both parties to make sure OSHA regulations are met and workers are fully protected.

If temporary workers are assigned to tasks that require medical monitoring (for example, for noise or lead exposure), the employer must do the monitoring. The temporary agency must maintain the records.

For OSHA recordkeeping, injuries and illnesses to temporary employees must be recorded on the log of the company that supervises employees' day-to-day activities.

Cont. on page 2

Cont. from page 1

For example, if the client employer supervises the temporary employees, the client employer must keep the log for these employees.

Similarly, the employer who controls the day-to-day activities of the workers would be responsible for reporting serious injuries to OSHA (or to the Bureau of Labor Standards for public employees), as required.

While there is shared responsibility for the safety of temporary employees, the employer who supervises day-to-day activities has the primary responsibility. Contractual arrangements should make clear which safety functions the temporary agency and the client employer will each assume. The objective is to make sure employees are protected, and how that will happen needs to be spelled out clearly in each situation.

Lynne Lamstein is director of outreach and education for SafetyWorks!

Young Temps

More than half of all temporary workers are between the ages of 20 and 35. Young temporary workers earn nearly 20% less than their permanent co-workers. Only 5 percent of young temps have health insurance through their employer.

As more companies turn to temps to fill their workforce needs, "2030 Center", a public policy organization for young adults, is asking who is looking out for these workers. The organization's report "When Good Jobs Go Bad; Young Adults and Temporary Workers in the New Economy" recommends review of labor laws to ensure temporary workers have the same rights as permanent employees. The report is available on-line at <www.2030.org>.

Workplace Safety Efforts Honored Certificates Awarded to Vocational Students

In June of this year the Maine Department of Labor awarded the state's first workplace safety certificates to high school seniors from the Washington County Institute of Technology and Hancock County Vocational Center.

The 16 students are the first to complete a comprehensive curriculum developed by the Maine Department of Labor and vocational teachers and administrators. To earn the safety certificates, the teens successfully completed written and performance exams demonstrating their knowledge of safety regulations, personal protective equipment, emergency procedures, and other safety topics.

The Washington County recipients are: Crystal Beal, Brian Berry, Daniel E. Gray, Scott A. Guptill, Emiliejeanne Norton, Stephen R. Sims, John E. Smith, Jason Spencer, Norbert Tetrault, Wayne Trunk Jr., Elwin J. Wright and Melissa Wright. From Hancock County, Trafton Cain, Marshall Duhaime III, Travis Lunt and Maryjean Smith received awards.

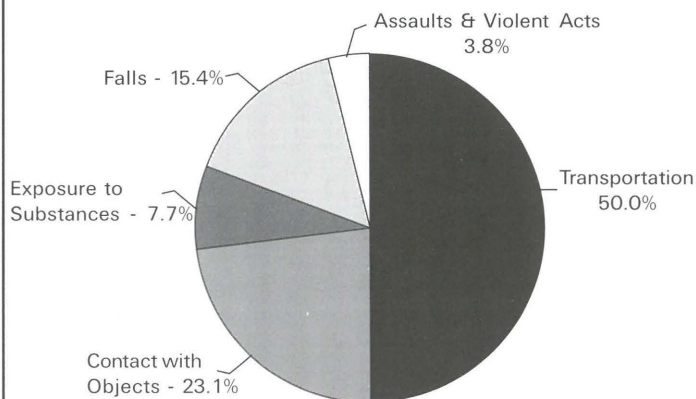
POISONING

**Do you
know what
to do?**



If you, a co-worker, or a family member is exposed to poison, call the Maine Poison Center at 1-800-442-6305.

Event/Exposure



Work Fatalities in Maine

According to figures recently released by the Bureau of Labor Standards, 26 people died from injuries sustained during work-related incidents in 1998, seven more than the previous year. Half of the workers died from injuries related to transportation accidents. A variety of vehicles were involved, including three tractor trailers, three boats, two vans, two planes, two passenger cars and one logging truck.

For a free copy of the publication *Fatal Occupational Injuries in Maine 1998*, call the Bureau of Labor Standards at 624-6400.

Notes From the Field

OSHA plans to publish a number of rules, final standards, and proposed standards within the next year:

- A final standard governing the steel erection industry - late 1999 or early 2000
- A final health rule governing exposure to tuberculosis - early 2000
- A proposed standard governing fire protection in shipyards - late 1999
- A proposed rule for silica covering construction, general industry, and maritime - June 2000
- A proposal to extend the federal OSHA confined space protections to construction workers - late 1999 or early 2000
- Proposed rules on ergonomics, safety and health programs, and recordkeeping - late 1999

DON'T MISS... The Biggest Safety Show Around



Maine Safety and Health Conference

September 22-24, 1999
Holiday Inn by the Bay,
Portland

For more information, call
Maine Safety Council at 854-8441.

A Reminder About Sun Exposure

During the summer, people spend much more time out-of-doors working and playing. Protecting yourself from sun exposure is an important way to reduce your risk of skin damage and cancer.

- 1) Try to limit your exposure during the peak sunburn hours of 10:00 A.M. to 3:00 P.M.
- 2) Wear sunblock (generally an SPF of 30 is the maximum recommended)
- 3) Wear a hat (preferably with 3-inch brim all around)
- 4) Wear sunglasses (look for a label which indicates 99-100% UVA and UVB protection)
- 5) Wear loose fitting clothing that covers arms and legs

Articles for **SafetyWorks!** are written by individual authors and are not necessarily products of the Bureau of Labor Standards or its editors. Information contained in the articles should not be seen as a substitute for policy or for regulations.

The editors are Lynne Lamstein, director of outreach and education and Jonathan Lepoff, staff development coordinator. You may reach them by calling 624-6400. For more information about SafetyWorks!, use our toll-free number: **1-877-SAFE-345**.

Maine's Chemical Substance Identification Law Repealed

The Maine legislature repealed Maine's Chemical Substance Identification Law, effective September 18, 1999. As a result Maine employers no longer have to submit an annual chemical inventory to the Bureau of Labor Standards or conduct annual chemical safety training.

Employers are still responsible for protecting their employees against chemicals in the workplace. OSHA's Hazard Communication Standard (29 CFR 1910.1200) covers public and private employers in Maine. It requires a written program, employee training, chemical labeling, material safety data sheets, and other measures to protect employees. The Hazard Communication Standard can be found on OSHA's web page <www.osha.gov>.

For more information, contact the Bureau of Labor Standards at 624-6400.

Welcome Steve Greeley

Our new SafetyWorks! occupational safety engineer has a wealth of safety experience. Not only has Steve worked for Cianbro Corporation, The Dunlap Corporation and Bath Iron Works, he also has an associate's degree in occupational safety and health from Central Maine Technical College.



New SafetyWorks! Class Schedule

SafetyWorks! classes can give you the edge you need on your job. For a schedule of FREE classes, call 1-877-SAFE-345 or visit our web site at <janus.state.me.us/labor>.

Upcoming Safety & Health Classes
September - November
Please contact agencies listed directly

<u>TITLE</u>	<u>DATE</u>	<u>OFFERED BY</u>	<u>PHONE NUMBER</u>
Fire Safety - Hands on: Homeowner's Safety & Health Course	09-01	Central Maine Technical College	207-755-5450
Life Safety Code Course 101	09-02-10-21	Central Maine Technical College	207-755-5450
Fire Safety - Surveying: Homeowner's Safety & Health Course (KVTC-Fairfield)	09-08	Central Maine Technical College	207-755-5450
Asbestos Design Consultant Refresher	09-08	Central Maine Technical College	207-755-5450
Asbestos Project Supervisor Refresher	09-09	Central Maine Technical College	207-755-5450
Asbestos Worker Refresher (KVTC-Fairfield)	09-10	Central Maine Technical College	207-755-5450
4-Hour OSHA Awareness Level	09-13	Burgess & Associates Inc.	800-773-2723
8-Hour Entrant, Attendant, Supervisor	09-13 & 11-15	Burgess & Associates Inc.	800-773-2723
16-Hour Basic Confined Space Rescue Technician	09-13 & 14 & 11-15 & 16	Burgess & Associates Inc.	800-773-2723
24-Hour Confined Space Rescue Technician	09-13-15 & 11-15-17	Burgess & Associates Inc.	800-773-2723
8-Hour Confined Space Rescue Refresher	09-14 & 11-16	Burgess & Associates Inc.	800-773-2723
Video Display Terminal T-T-T (Lewiston, Portland, & Ellsworth)	09-14 , 10-20, & 11-03	Bureau of Labor Standards	207-624-6400
Recordkeeping (REC-15, Hallowell & REC-16, Bangor)	09-14 & 10-06	Bureau of Labor Standards	207-624-6400
Electrical Safety: Homeowner's Safety & Health Course	09-15	Central Maine Technical College	207-755-5450
Office Ergonomics (Bangor & Portland)	09-15 & 10-20	Maine Employers' Mutual Ins. Co.	207-791-3364
Manual Material Handling (Bangor & Portland)	09-16 & 10-21	Maine Employers' Mutual Ins. Co.	207-791-3364
Safety Management for Supervisors (SRS-10 & SRS 11) (Hallowell)	09-16 & 11-04	Bureau of Labor Standards	207-624-6400
8-Hour Refresher for Hazardous Waste Operations	09-17, 10-14, & 11-10	SafeTech Consultants Inc.	207-773-5753
8-Hour OSHA Operations Level	09-20	Burgess & Associates Inc.	800-773-2723
8-Hour DOT 181 Hazmat Employee Training	09-20	Burgess & Associates Inc.	800-773-2723
First Aid: Homeowner's Safety & Health Course	09-22	Central Maine Technical College	207-755-5450
8-Hour Industrial Employee SCBA Course	09-27 & 11-29	Burgess & Associates Inc	800-773-2723
24-Hour Hazmat Incident Command	09-27-29	Burgess & Associates Inc	800-773-2723
General Industries Standards 30-hr. Course (GIS-13) (Hallowell)	09-28, 10-05, 12,19, & 26	Bureau of Labor Standards	207-624-6400
Machinery: Homeowner's Safety & Health Course	09-29	Central Maine Technical College	207-755-5450
DOT Hazardous Materials Refresher Course	09-30	SafeTech Consultants Inc.	207-773-5753
General Industries Standards 30-hr. Course (GIS-14) (Portland)	09-30, 10-07, 14, 21, & 28	Bureau of Labor Standards	207-624-6400
8-Hour Hazwoper/Emergency Response Refresher	10-04	Burgess & Associates Inc	800-773-2723
40-Hour Hazardous Waste Operations Course	10-04-08	SafeTech Consultants Inc.	207-773-5753
40-Hour Hazwoper or Technician/Incident Command	10-04-08	Burgess & Associates Inc	800-773-2723
Home Ergonomics: Homeowner's Safety & Health Course	10-06	Central Maine Technical College	207-755-5450
16-Hour Hazmat Technician Upgrade to 40-Hour	10-07 & 08	Burgess & Associates Inc	800-773-2723
Chemicals in the Household: Homeowner's Safety & Health Course	10-13	Central Maine Technical College	207-755-5450
40-Hour Industrial Firefighter Basic Training	10-18-22	Burgess & Associates Inc	800-773-2723
Playground Safety: Homeowner's Safety & Health Course	10-20	Central Maine Technical College	207-755-5450
16-Hour Industrial Fire Brigade Live Fire Course	10-21 & 22	Burgess & Associates Inc	800-773-2723

Upcoming Safety & Health Classes
September-November
Please contact agencies listed directly

<u>TITLE</u>	<u>DATE</u>	<u>OFFERED BY</u>	<u>PHONE NUMBER</u>
8-Hour Industrial Fire Brigade Officer Basic Course	10-22	Burgess & Associates Inc	800-773-2723
Motor Vehicle Safety: Homeowner's Safety & Health Course	10-27	Central Maine Technical College	207-755-5450
Job Safety Analysis (JSA-3) (Ellsworth)	11-02	Bureau of Labor Standards	207-624-6400
OSHA Update (UPD-9) (Hallowell)	11-09	Bureau of Labor Standards	207-624-6400
General Industries Standards (GIS-15) (Bangor)	11-16, 23, 30, 12-07, & 14	Bureau of Labor Standards	207-624-6400
Respiratory Protection (RSP-1) (Portland)	11-18	Bureau of Labor Standards	207-624-6400



*Quarterly news for
a safer workplace*

Fall 1999

FROM THE DIRECTOR

In 1983, the Maine legislature enacted the Chemical Substance Identification Law. A "Right-to-Know" law, Chem ID required that employers inform employees about the chemicals they're exposed to at work.

A few years later OSHA passed its Hazard Communication Standard, which carried similar provisions. To avoid redundancy and simplify requirements for employers, the Maine legislature repealed State Chem ID in 1999.

Laws are responsive to the needs of society. When our state needed a law to protect against chemical exposure, the legislature passed one. When federal law proved adequate to protect workers, Maine repealed its law.

Inside **SafetyWorks!**

Temporary Workers & Safety 1

Young Temps 2

Work Fatalities in Maine 2

Notes from the Field 3

***Maine's Chemical Substance
Identification Law Repealed*** 3

As our economy and society change, we face new safety concerns related to temporary work, telemarketing, ergonomics, home health, workplace violence, etc. Usually, these workplace challenges can be addressed directly by employers and employees. However, sometimes specific laws are needed to ensure worker protection. Citizens can, and often do, influence the legislative process in Maine. Contact your legislator to find out what he/she thinks about workplace safety laws in Maine. And if you have specific concerns, let your legislator know—it's your right.

Alan C. Hinsey, Director
Bureau of Labor Standards